

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMIE & ROBERT PELLIGRINI,
Individually and ppa SAVERIO
PELLIGRINI and MAXIMUS
PELLIGRINO, minors.
Plaintiffs,

CIVIL ACTION NO: 05-10387-NMG

V.

BARBARA STRICKER-FRIEDMAN, M.D.,
ET ALS,
Defendants.

**MOTION OF THE DEFENDANTS, BARBARA STRICKER-FRIEDMAN, M.D. AND
OB/GYN GROUP OF ATTLEBORO, INC., TO DISMISS WITH PREJUDICE
PURSUANT TO F.R.C.P. RULE 37(d)**

Now come the defendants, Barbara Stricker-Friedman, M.D. and Ob/Gyn Group of Attleboro, Inc., and respectfully request that this Honorable Court dismiss this case with prejudice pursuant to F.R.C.P. Rule 37(d). The grounds in support of this motion are set forth below:

1. This is an alleged medical malpractice action which was filed by the plaintiffs on or about February 24, 2005.
2. When the case was filed, the plaintiffs were represented by the firm of Deluca & Weizenbaum.
3. The first trial date for this case was July 9, 2007. The parties filed a joint motion to continue the trial date for three months. The trial date was rescheduled for September 24, 2007.
4. Deluca & Weizenbaum filed a motion to withdraw as plaintiffs' counsel on September 10, 2007, two weeks before the second trial date. The defendants filed a response to the motion to withdraw on September 14, 2007.

Motion allowed. J. M. Gorton, USDJ 12/14/07

